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*Attorneys for Jane Doe 1, individually*

*and on behalf of all other persons similarly situated*

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW JERSEY**

JANE DOE 1, individually and on  
behalf of all other persons similarly  
situated,

Plaintiff,

vs.

BANC, JACK & JOE, LLC dba  
TITILATIONS GO-GO-BAR, BANC  
PERO, JOSPEH CARERI, JACK  
PERO, ABC COMPANIES 1-10 and  
JOHN DOES 1-10,

Defendants.

Civil Action No.: 2:17-cv-03843-KSH-CLW

**NOTICE OF LAWSUIT WITH OPPORTUNITY TO JOIN**

**TO: ALL PRESENT AND FORMER EMPLOYEES EMPLOYED BY BANC, JACK & JOE, LLC D/B/A TITILLATIONS GO-GO-BAR (“TITILLATIONS”) AS EXOTIC DANCERS ANYTIME BETWEEN MAY 31, 2014 TO THE PRESENT**

**INTRODUCTION TO THE CASE**

The purpose of this notice is to inform you that a misclassification lawsuit exists that you may join, to advise you of how your rights may be affected by this lawsuit, and to instruct you on the procedure for participating in this lawsuit, should you choose to do so.

An action was recently filed against Titillations and its owners on behalf of the named Plaintiff and all other “similarly situated” individuals who worked for Titillations as exotic dancers. Specifically, the action alleges that these individuals are owed damages by virtue of being misclassified as independent contractors under the federal Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 207. More specifically still, these individuals are owed minimum wages and overtime for hours they worked, but for which they were not paid.

Titillations denies the allegations and maintains these individuals were properly classified as independent contractors.

**YOUR RIGHT TO MAKE A CLAIM IN THIS CASE**

The United States District Court for District of New Jersey has authorized that this notice be sent to all persons who have potential claims, specifically all persons who worked as exotic dancers for Titillations at any time between May 31, 2014 and the present.

If you fit the definition above and worked in any workweek during your employment, you are eligible to participate in the lawsuit and could be entitled to damages.

You may join the lawsuit by mailing, emailing, or faxing the enclosed Plaintiff Consent Form to Plaintiffs’ Counsel for filing with the Court:

**Brach Eichler L.L.P.**  
**Attn: Charles X. Gormally, Esq.**  
**101 Eisenhower Parkway**  
**Roseland, New Jersey 07068**  
**Telephone: 973.228.5700**  
**Facsimile: 973.228.7852**  
**Email: dancerwageandhour@bracheichler.com**

The Consent Form must be postmarked on or before 90 days from the date notice is issued in order for you to participate.

## **EFFECT OF JOINING THIS CASE**

### **I. Your Attorneys**

If you choose to join this lawsuit, your interests will be represented by Plaintiff's Counsel, Brach Eichler LLC. You also designate Plaintiff's Counsel to make decisions regarding the course of the lawsuit and any settlement discussions in connection with this lawsuit. You will be bound by any ruling or judgment by the Court, whether favorable or unfavorable.

Plaintiff's Counsel has taken this case on a contingency fee basis. This means that they will only be paid if there is a monetary recovery through a settlement, judgment, or jury award in your favor. If there is a recovery, Plaintiff's Counsel will receive a part of any money judgment or settlement obtained in your favor or attorneys fees and costs awarded by the Court. You will not have to pay Plaintiff's Counsel out of your own pocket. The details will be fully outlined in a separate fee agreement with Plaintiff's Counsel if you decide to join this case. The Court has retained jurisdiction to determine the reasonableness of any attorneys' fees awarded to Plaintiff's Counsel.

### **II. Your Anonymity**

An Order has already been entered in this case allowing Plaintiff to proceed anonymously. In other words, her identity will never be revealed publicly, and will only be revealed to the Defendants and their attorneys as necessary. Should you join this case, your identity will be similarly protected.

## **STATUTE OF LIMITATIONS**

The FLSA has a two-year statute of limitation and a maximum statute of limitations of three years. If you choose to join this lawsuit, you may be able to recover money damages if you were improperly misclassified as an independent contractor for three years prior to the date you file your "Plaintiff Consent Form." If you choose not to join in this action, or file your own action, some or all of your potential claims may later be barred by the statute of limitations.

**NO RETALIATION PERMITTED**

**FEDERAL LAW PROHIBITS RETALIATION AGAINST EMPLOYEES FOR EXERCISING THEIR RIGHTS UNDER THE FLSA. THEREFORE, TITILLATIONS AND ITS OWNERS ARE PROHIBITED FROM FIRING YOU OR RETALIATING AGAINST YOU IN ANY OTHER MANNER BECAUSE YOU CHOOSE TO PARTICIPATE IN THIS LAWSUIT.**

**COURT AUTHORIZED NOTICE**

**THIS NOTICE AND ITS CONTENT HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT, DISTRICT OF NEW JERSEY, NEWARK DIVISION, THE HONORABLE JUDGE KATHARINE S. HAYDEN. THE COURT HAS MADE NO DECISION ABOUT THE MERITS OF PLAINTIFFS' CLAIMS OR DEFENDANT'S DEFENSES.**

## **TITILLATIONS PLAINTIFF CONSENT FORM**

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1. I consent to make a claim under the Fair Labor Standards Act, 29 U.S.C. § 201, et seq. against my current/former employer, Titillations, to recover back minimum wages and overtime.
2. During the past three years, there were occasions when I worked for Titillations and did not receive proper compensation for all of my regular and overtime hours worked.
3. I understand that I may withdraw my consent to proceed with my claims at any time by notifying the attorneys handling the matter.

Date:

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Signature

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Print Name

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**No Information Below Will Be Filed With the Court**  
**Please Print or Type Your Contact Information**

Address:

Number

City

State

Zip Code

Best Phone Number:

Email:

**Return this form by fax, email or mail to:**

**Brach Eichler L.L.P.**  
**Attn: Charles X. Gormally, Esq.**  
**101 Eisenhower Parkway**  
**Roseland, New Jersey 07068**  
**Telephone: 973.228.5700**  
**Facsimile: 973.228.7852**  
**Email: dancervageandhour@bracheichler.com**

THIS PLAINTIFF CONSENT FORM MUST BE RETURNED OR POSTMARKED ON OR  
BEFORE [DATE], IN ORDER TO PARTICIPATE IN THE LAWSUIT.